

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FRANCISCO MARTINEZ,

Plaintiff,

VS.

KILOLO KIJAKAZI, ACTING
COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION;

Defendant.

SA-21-CV-00716-JKP

ORDER

Before the Court in the above-styled cause of action is the Claim for Reimbursement of Attorney Fees and Expenses [#32], filed by D. Craig Wood. Mr. Wood mailed the undersigned his request for reimbursement, along with a letter dated July 20, 2022, and the undersigned had the request docketed as a motion in this case. The Court appointed Mr. Wood to represent Plaintiff in his appeal of an adverse administrative decision finding him ineligible for disability benefits because when registering for the Court’s Civil Appointments Panel, Mr. Wood selected Social Security as one of the subject areas for which he was willing to accept an appointment. But Mr. Wood moved to withdraw due to his lack of knowledge of Social Security law explaining that the “Social Security” box had been checked in error. Nonetheless, he seeks reimbursement of \$1,352.68 in attorney’s fees and expenses for his time spent considering the appointment.

The Court will dismiss Mr. Wood's motion. Mr. Wood already submitted this same request by filing a motion on April 6, 2022 [#21], and the District Court denied the motion on April 28, 2022 [#23] on the basis that Mr. Wood never engaged in any representation of Plaintiff.

As the Court previously stated, this Court allows for reimbursement of fees incurred by an appointed attorney who is allowed to withdraw from representation for good cause but presupposes reimbursement for actual representation, not reviewing the file, talking to the client, and drafting a motion to withdraw. As the Court has already ruled on Mr. Wood's request, the Court will dismiss the request as moot.

IT IS THEREFORE ORDERED that Mr. Wood's Claim for Reimbursement of Attorney Fees and Expenses [#32] is **DISMISSED AS MOOT**.

SIGNED this 10th day of August, 2022.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE